

SENATE BILL No. 418

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-10-3-7; IC 12-15-4-2.5; IC 36-2-13-19.

Synopsis: Inmates and Medicaid applications. Makes: (1) the department of correction, for an inmate; and (2) the sheriff, for a person who is subject to lawful detention; the authorized representative for applying for Medicaid for an inmate or lawfully detained person who is potentially eligible for Medicaid and who incurs medical care expenses that are not otherwise reimbursable.

Effective: July 1, 2015.

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January 12, 2015, read first time and referred to Committee on Corrections & Criminal Law.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 418

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 11-10-3-7, AS ADDED BY P.L.205-2013,
2 SECTION 170, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2015]: Sec. 7. **(a)** If the department or a county
4 incurs medical care expenses in providing medical care to an inmate
5 who is committed to the department and the medical care expenses are
6 not reimbursed, the department or the county shall attempt to determine
7 the amount, if any, of the medical care expenses that may be paid:
8 (1) by a policy of insurance that is maintained by the inmate and
9 that covers medical care, dental care, eye care, or any other health
10 care related service; or
11 (2) by Medicaid.
12 **(b) For an inmate who:**
13 **(1) is committed to the department;**
14 **(2) incurs medical care expenses that are not otherwise**
15 **reimbursable;**
16 **(3) is unwilling or unable to pay for the inmate's own health**



1 care services; and
 2 **(4) is potentially eligible for Medicaid (IC 12-15);**
 3 **the department is the inmate's Medicaid authorized representative**
 4 **and shall apply for Medicaid on behalf of the inmate.**

5 SECTION 2. IC 12-15-4-2.5 IS ADDED TO THE INDIANA CODE
 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 7 1, 2015]: **Sec. 2.5. (a) The department of correction is, for an**
 8 **inmate described in IC 11-10-3-7(b), the inmate's Medicaid**
 9 **authorized representative.**

10 **(b) The sheriff is, for a person who is subject to lawful detention**
 11 **and described in IC 36-2-13-19, the inmate's Medicaid authorized**
 12 **representative.**

13 SECTION 3. IC 36-2-13-19 IS ADDED TO THE INDIANA CODE
 14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 15 1, 2015]: **Sec. 19. (a) This section does not apply to a person who is**
 16 **subject to lawful detention and is:**

17 **(1) covered under private health coverage for health care**
 18 **services; or**

19 **(2) willing or able to pay for the person's own health care**
 20 **services.**

21 **(b) For a person who:**

22 **(1) is subject to lawful detention;**

23 **(2) incurs medical care expenses that are not otherwise**
 24 **reimbursable during the lawful detention; and**

25 **(3) is potentially eligible for Medicaid (IC 12-15);**

26 **the sheriff is the inmate's Medicaid authorized representative and**
 27 **shall apply for Medicaid on the person's behalf.**

